

REVISED AGENDA
Joint Meeting of the Veneta Planning Commission & Veneta City Council
Wednesday - May 11, 2005 - 6:00 p.m.
Veneta City Hall

I. REVIEW AGENDA

- II. PUBLIC COMMENT: If you wish to address the Planning Commission about an issue which is not on the agenda; state your name, address, and limit your comments to 3 minutes.

All of the public hearings will follow the same format, below. Please refer to the reverse side of the agenda for rules governing public testimony and criteria for each type of proposed use.

III. JOINT PUBLIC HEARING: Veneta City Council & Veneta Planning Commission

- A. Call Veneta City Council to Order
- B. COVEN ESTATES 2 - (V-3-05) Variance to Veneta's Wetland Protection Ordinance (Veneta Municipal Code Chapter 18.10) to allow development within a delineated wetlands.
Assessors map 18-05-06-20, tax lot 420
 - 1. Open Hearing
 - 2. Declaration of Conflict of Interest or Ex-Parte Contacts
 - 3. Staff Report
 - 4. Public Testimony **(SEE REVERSE SIDE OF AGENDA)**
 - 5. Questions from the Veneta City Council and Planning Commission
 - 6. Close of Public Hearing
 - 7. Deliberation and Decision
- C. Adjourn Veneta City Council

IV. PUBLIC HEARING & LIMITED LAND USE ACTION

- A. COVEN ESTATES 2 - Tentative Subdivision Plan (S-1-05), Conditional Use Permit to allow development within the Greenway Subzone (CUP-4-05) and Variance to allow panhandle lots (V-2-05) - East end of Cherry Street.
Assessors map 18-05-06-20, tax lot 420

VI. LAND USE DECISION:

- A. SLAVEN ESTATES SUBDIVISION - Tentative Subdivision Plan (S-3-04), Conditional Use Permit to allow development within a Greenway Subzone (CUP-1-05), & Variance to allow panhandle lots (V-2-05) - North end of Oak Island Dr. off of Cheney and south end of Oak Island Dr. off of Jake Assessor's map 17-05-31-33, tax lot 4500
- B. ANGEL CREEK SUBDIVISION - Grading & Erosion Control Plan

VII. ADJOURN:

The next Planning Commission meeting

will be held on Monday, June 6, 2005 at 7:00 p.m.

Decisions by the Planning Commission for land use applications are issued with a FINAL ORDER. A Planning Commission Decision may be appealed to the Veneta City Council within 15 days after the Final Order has been signed and mailed. If a written Notice of Appeal is not filed within 15 days of the date the Final Order of the Planning Commission decision is mailed, the decision becomes final. Veneta Land Development Ordinance 417, Section 2.07 (1-3) and Veneta Land Division Ordinance 418, Section 8.03 (4)

Location is wheelchair accessible (WCA). Communication interpreter, including American Sign Language (ASL) interpretation, is available with 48 hours notice. Contact Sheryl Hackett Phone (541) 935-2191, FAX (541) 935-1838 or by TTY Telecommunications Relay Service 1-800-735-1232.

THIS MEETING WILL BE TAPE-RECORDED.

PUBLIC HEARINGS - Please observe the following rules.

WRITTEN TESTIMONY:

Written comments received seven (7) days prior to the meeting have been incorporated in the staff report. All comments, including those received up until the meeting, are presented to the Planning Commission members to be considered in their decision.

ORAL TESTIMONY:

If you wish to testify with regard to a matter which has been set for *Public Hearing* please observe the following rules:

1. **State your name and address.**
2. **Indicate if you are in favor of or opposed to the proposal.**
3. **Limit your testimony to three (3) minutes. Testimony must be specific to the issue at hand. Keep your comments brief and to the point.**

The Planning Commission considers all public comments, staff reports, and City ordinances in arriving at a final decision. **Staff reports are available for review at Veneta City Hall - 88184 8th Street - Veneta, Oregon.**

PUBLIC COMMENTS FOR LIMITED LAND USE DECISIONS

WRITTEN TESTIMONY:

Written comments must have been received within the 14 day comment period. All comments received within the 14 day comment period have been presented to the Planning Commission members to be considered in their decision along with the staff report and City ordinances in arriving at a final decision. **Staff reports are available for review at Veneta City Hall - 88184 8th Street - Veneta, Oregon.**

LAND USE DECISIONS - Veneta Municipal Code Chapter 18.05

Whenever this chapter is in effect, the following procedures or procedure similar thereto shall be followed by the city staff and applicable decision-making body: (1) Preparation of brief statement setting forth the criteria and standards considered relevant to the decision of the city staff. Such shall utilize criteria and standards found in the applicable ordinance, the comprehensive plan, and other ordinances and rules and regulations now in effect a from time to time adopted by the city council and appropriate decision-making body.

See below and add any other needed criteria based on the applications received. If no public hearing, delete that portion of the instructions above.

CRITERIA FOR VARIANCE TO VENETA'S WETLAND PROTECTION ORDINANCE
Veneta Municipal Code Chapter 18.10.060, Section 18.10.060, Variances

- (1) For parcels that have no usable building site through application of the requirements of this chapter, a variance may be granted to allow development on the parcel; provided, that the design of the development, minimizes impact tot he wetland.
- (2) A variance may be granted in those instances where claims of map error are verified by the Division of State Lands.
- (3) A variance may be granted in those instances where the planning commission and city council jointly determine that the public need outweighs the potential adverse impacts of development in or near a locally significant wetland resource site.

CATEGORIES FOR REVIEW OF TENTATIVE SUBDIVISION PLAN APPLICATIONS

Veneta Land Division Ordinance, Article 4, Section 4.03

The Planning Commission may approve, approve with conditions, or deny a tentative plan based on the standards found in the following sections of the Land Division Ordinance, Land Development Ordinance, and other sources specified in this section:

- (1) The transportation system supports the new development and provides vehicular, bicycle, and pedestrian access to each lot in conformance with the applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; the requirements of the zoning district (Land Development Ordinance); and the Veneta Transportation System Plan.*
- (2) Each lot will be served with sanitary sewer (or septic systems), water, and other public utilities in conformance with the applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; the requirements of the zoning district (Land Development Ordinance); and City utility plans.*
- (3) The surface water drainage shall be in conformance with the City's Drainage Master Plan and other applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; and the requirements of the zoning district (Land Development Ordinance).*
- (4) Topography, floodplain, wetlands, and vegetation have been incorporated into the subdivision design in conformance with the applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; and the requirements of the zoning district (Land Development Ordinance).*
- (5) Development of any remainder of property under the same ownership can be accomplished in accordance with city requirements.*
- (6) Adjoining land can be developed or is provided access that will allow its development in accordance with city requirements.*
- (7) The proposed preliminary plat complies with all of the applicable city requirements, including Design Standards (Article 6), Improvement Requirements (Article 7), and the requirements of the zoning district (Land*

Development Ordinance).

CIRCUMSTANCES FOR GRANTING VARIANCES TO MINIMUM LOT FRONTAGE

Veneta Land Development Ordinance 417, Article 10, Section 10.03

A variance may be granted only in the event that all of the following circumstances exist:

- (1) Special or unusual circumstances apply to the property or use which do not apply generally to other properties or uses in the same zone or vicinity.
- (2) The variance would not be materially detrimental to the public health, safety and welfare or to the purposes of this ordinance or to property in the same zone or vicinity in which the property is located or otherwise conflict with the objectives of any City plan or policy.
- (3) The variance requested is the minimum variance which would alleviate the hardship.

CATEGORIES FOR REVIEW OF CONDITIONAL USE PERMITS

Veneta Land Development Ordinance, Article 8

Section 8.10 GENERAL STANDARDS OF APPROVAL - A conditional use may be granted only if:

- (1) The proposed use is consistent with the Veneta Comprehensive Plan.
- (2) The proposed use is consistent with the purpose of the zoning district.
- (3) The potential negative impacts of the proposed use on adjacent properties and on the public will be mitigated through the application of existing requirements and conditions of approval.
- (4) All required public facilities have adequate capacity to serve the proposal.
- (5) The site size, dimensions, location, topography, and access are adequate considering such items as the bulk, coverage or density of the proposed development; the generation of traffic; environmental quality impacts; and health, safety or general welfare concerns.

Section 8.20 SPECIAL STANDARDS GOVERNING CONDITIONAL USES - Certain conditional uses shall meet the following standards:

Section 8.20(19) Standards for development in the GW subzone. The development must comply with all standards listed below. If the proposed development cannot comply with all the standards, the Planning Commission must determine what balance is needed between the public benefits provided by standards (a) through (e) and the private benefits provided by standards (f) and (g).

- (a) Fish and wildlife habitats and wildlife movement corridors will be protected.
- (b) Scenic qualities and viewpoints will be preserved.
- (c) Natural drainageways are protected and the stormwater plans comply with an approved stormwater drainage management plan. Erosion will be prevented or controlled.
- (d) Significant trees and other site vegetation will be preserved.

- (e) Stream corridors and wetland will be protected and provided with buffers.
- (f) The practical needs of construction activity are provided for in terms of ingress and egress.
- (g) Exceptional and undue hardship upon property owner or developer is avoided.